



## **BATAVIA CITY COUNCIL BUSINESS MEETING**

**City Hall - Council Board Room  
One Batavia City Centre  
Tuesday, October 11, 2016  
7:00 PM**

### **AGENDA**

- I. Call to Order
- II. Invocation – Councilperson Pacino
- III. Pledge of Allegiance
- IV. Approval of September 2016 Minutes
- V. Approval of August 2016 Financials
- VI. Assignment of Agenda Items
- VII. Communications
- VIII. Council President Report
  - a. Announcement of the next regular City Council Conference meeting to be held on Monday, October 24, 2016 at 7:00 p.m. at the City Hall Council Board Room, 2<sup>nd</sup> Floor, City Centre.
- IX. City Attorney's Report
- X. City Manager's Report
- XI. Committee Reports
- XII. Public Comments
- XIII. Council Responses to Public Comments
- XIV. Unfinished Business
- XV. New Business

**#89-2016**

**A Resolution Transferring \$50,000 from Assigned Fund Balance to the Police Capital Equipment Reserve Fund**

- |           |   |
|-----------|---|
| #90-2016  | A Resolution Transferring \$150,000 from Assigned Fund Balance to the Fire Capital Equipment Reserve Fund                                       |
| #91-2016  | A Resolution Transferring \$200,000 from Assigned Fund Balance to the Public Works Capital Equipment Reserve Fund                               |
| #92-2016  | A Resolution Transferring \$125,000 from Assigned Fund Balance to the Dwyer Stadium Repair Reserve Fund   |
| #93-2016  | A Resolution Transferring \$400,000 from Assigned Fund Balance to the Public Facilities Capital Reserve Fund                                    |
| #94-2016  | A Resolution Transferring \$150,000 from Assigned Fund Balance to the Capital Sidewalk Reconstruction Reserve Fund                              |
| #95-2016  | A Resolution Transferring \$50,000 from Assigned Fund Balance to the Administrative Services Equipment and Software Reserve Fund                |
| #96-2016  | A Resolution Transferring \$75,000 from Assigned Fund Balance to the Employee Benefit Accrued Liability Reserve Fund                            |
| #97-2016  | A Resolution to Appoint Members to Various City Committees/Boards   |
| #98-2016  | A Resolution Authorizing Council President to Sign Lease Agreement with Dent Neurologic Institute   |
| #99-2016  | A Resolution to Submit a Transportation Alternatives Program Grant and to Provide a Cost Share  |
| #100-2016 | A Resolution for Approval of Change Order No. 1 to the Contract for Sludge Removal Project  |
| #101-2016 | A Resolution to Support the Transformational Ellicott Station Phase I Redevelopment Proposed in the City Of Batavia Brownfield Opportunity Area |
| #102-2016 | A Resolution Authorizing Council President to Sign a Demolition Reimbursement Agreement with Wells Fargo  |

XVI. Executive Session...Collective Negotiations

XVII. Adjournment

**GENERAL FUND  
CITY OF BATAVIA  
FOR PERIOD ENDED - August 31, 2016**

| DESCRIPTION                     | ADJUSTED<br>BUDGET      | YTD<br>TOTAL           | % OF<br>BUDGET | YTD<br>2015            | YTD<br>Change % | Change \$        |
|---------------------------------|-------------------------|------------------------|----------------|------------------------|-----------------|------------------|
| <b>Revenues</b>                 |                         |                        |                |                        |                 |                  |
| Real Property Taxes             | \$ 5,111,384.00         | \$ 5,089,118.20        | 99.56%         | \$ 5,041,556.33        | 0.94%           | \$ 47,562        |
| Gain -Sale Tax Acquired Prop.   | \$ -                    | \$ 35,166.88           |                | \$ 36,277.26           | -3.06%          | \$ (1,111)       |
| Payments in Lieu of Tax         | \$ 52,285.00            | \$ 51,921.56           | 99.34%         | \$ 63,346.35           | -18.04%         | \$ (11,425)      |
| Interest & Pen. on Tax          | \$ 190,000.00           | \$ 148,821.39          | 78.33%         | \$ 31,117.10           | 378.26%         | \$ 117,704       |
| Sales and Use Tax               | \$ 6,130,000.00         | \$ 1,466,924.88        | 23.93%         | \$ 1,523,643.73        | -3.72%          | \$ (56,719)      |
| Utility Gross Receipts Tax      | \$ 220,000.00           | \$ 45,028.77           | 20.47%         | \$ 55,910.50           | -18.46%         | \$ (10,882)      |
| Cable TV Franchise              | \$ 165,000.00           | \$ -                   | 0.00%          | \$ -                   |                 | \$ -             |
| Clerk/Treasurer Fees            | \$ 32,000.00            | \$ 16,346.50           | 51.08%         | \$ 13,646.76           | 19.78%          | \$ 2,700         |
| Charges for Tax Redemption      | \$ -                    | \$ 750.00              |                | \$ 1,146.00            | -34.55%         | \$ (396)         |
| Marriage Licenses               | \$ 3,000.00             | \$ 2,065.00            | 68.83%         | \$ 2,325.00            | -11.18%         | \$ (260)         |
| Other Gen Govern Dept Inc.      | \$ 15,391.00            | \$ 15,390.65           | 100.00%        | \$ 15,618.10           |                 | \$ (227)         |
| Police Fees                     | \$ 2,800.00             | \$ 896.75              | 32.03%         | \$ 1,088.00            | -17.58%         | \$ (191)         |
| Dog Seizure Fees                | \$ 600.00               | \$ 240.00              | 40.00%         | \$ 250.00              | -4.00%          | \$ (10)          |
| Other Public Safety Dept Inc    | \$ -                    | \$ 1,147.65            |                | \$ 15.00               |                 | \$ 1,133         |
| Vital Statistics Fees           | \$ 33,000.00            | \$ 14,710.00           | 44.58%         | \$ 14,890.00           | -1.21%          | \$ (180)         |
| Ambulance service revenue       | \$ -                    | \$ -                   |                | \$ -                   |                 | \$ -             |
| Public Works Services           | \$ 12,000.00            | \$ 63.73               | 0.53%          | \$ 4,214.37            |                 | \$ (4,151)       |
| Fines & Forfeited Bail          | \$ 125,000.00           | \$ 52,850.00           | 42.28%         | \$ 52,207.50           | 1.23%           | \$ 643           |
| Maintenance Fee - Ice Rink      | \$ 36,480.00            | \$ -                   | 0.00%          | \$ -                   |                 | \$ -             |
| Park User Fees                  | \$ 3,100.00             | \$ 3,749.00            | 120.94%        | \$ 3,195.00            | 17.34%          | \$ 554           |
| Special Recreat. Fac Charges    | \$ 20,000.00            | \$ -                   | 0.00%          | \$ -                   |                 | \$ -             |
| Other Culture & Rec income      | \$ 3,000.00             | \$ 1,226.22            | 40.87%         | \$ 2,000.00            | -38.69%         | \$ (774)         |
| Zoning Fees                     | \$ 1,000.00             | \$ 550.00              | 55.00%         | \$ 500.00              | 10.00%          | \$ 50            |
| Code Violation Charges          | \$ 36,000.00            | \$ 11,764.10           | 32.68%         | \$ 13,370.00           | -12.01%         | \$ (1,606)       |
| EMS Program                     | \$ 45,590.00            | \$ (12,760.00)         | -27.99%        | \$ (9,220.00)          | 38.39%          | \$ (3,540)       |
| Interest and Earnings           | \$ 2,000.00             | \$ 677.38              | 33.87%         | \$ 872.69              | -22.38%         | \$ (195)         |
| Interest and Earnings Reserves  | \$ -                    | \$ 818.79              |                | \$ 3,156.27            | -74.06%         | \$ (2,337)       |
| Rental of Real Property         | \$ 24,480.00            | \$ 12,498.74           | 51.06%         | \$ 21,036.18           | -40.58%         | \$ (8,537)       |
| Rental, other - facility usage  | \$ 500.00               | \$ 650.00              | 130.00%        | \$ 630.00              | 3.17%           | \$ 20            |
| Business/Occup. Licenses        | \$ 5,000.00             | \$ 3,825.00            | 76.50%         | \$ 785.00              | 387.26%         | \$ 3,040         |
| Games of Chance                 | \$ 100.00               | \$ 135.15              | 135.15%        | \$ 20.00               | 575.75%         | \$ 115           |
| Bingo Licenses                  | \$ 2,500.00             | \$ 859.10              | 34.36%         | \$ 545.72              | 57.43%          | \$ 313           |
| Dog Licenses                    | \$ 12,000.00            | \$ 6,017.50            | 50.15%         | \$ 5,582.00            | 7.80%           | \$ 436           |
| Licenses, Other                 | \$ 700.00               | \$ 1,771.73            | 253.10%        | \$ 1,814.71            | -2.37%          | \$ (43)          |
| Bldg/Alter Permits              | \$ 50,000.00            | \$ 14,017.00           | 28.03%         | \$ 27,058.36           | -48.20%         | \$ (13,041)      |
| Street Opening Permits          | \$ 10,000.00            | \$ 2,250.00            | 22.50%         | \$ 4,160.00            | -45.91%         | \$ (1,910)       |
| Plumbing Permits                | \$ 3,700.00             | \$ 1,894.00            | 51.19%         | \$ 1,220.00            | 55.25%          | \$ 674           |
| Permits, Other                  | \$ 6,000.00             | \$ 4,675.00            | 77.92%         | \$ 5,220.00            | -10.44%         | \$ (545)         |
| Parking ticket fees             | \$ 35,000.00            | \$ 7,550.00            | 21.57%         | \$ 13,175.00           | -42.69%         | \$ (5,625)       |
| Forfeiture of Deposits          | \$ 500.00               | \$ 1,625.00            | 325.00%        | \$ 125.00              | 1200.00%        | \$ 1,500         |
| White Goods                     | \$ -                    | \$ -                   |                | \$ -                   |                 | \$ -             |
| Sale of Scrap/Excess Mat.       | \$ 2,000.00             | \$ 1,590.74            | 79.54%         | \$ 61.00               | 2507.77%        | \$ 1,530         |
| Minor Sales                     | \$ 1,300.00             | \$ 215.19              | 16.55%         | \$ 277.38              | -22.42%         | \$ (62)          |
| Minor Sales - EMS Program       | \$ -                    | \$ -                   |                | \$ -                   |                 | \$ -             |
| Sale of Real Property           | \$ -                    | \$ -                   |                | \$ -                   |                 | \$ -             |
| Sale of Equipment               | \$ 30,000.00            | \$ 28,400.33           | 94.67%         | \$ -                   |                 | \$ 28,400        |
| Insurance Recoveries            | \$ -                    | \$ -                   |                | \$ 27,029.70           | -100.00%        | \$ (27,030)      |
| Other Comp for Loss             | \$ 5,214.90             | \$ 14,257.10           | 273.39%        | \$ 720.53              | 1878.70%        | \$ 13,537        |
| Refund-Prior Year Exps          | \$ -                    | \$ 599.23              |                | \$ 1,031.00            | -41.88%         | \$ (432)         |
| Healthcare Premiums             | \$ 59,540.00            | \$ 12,390.93           | 20.81%         | \$ 16,198.01           | -23.50%         | \$ (3,807)       |
| Healthcare Revenue              | \$ -                    | \$ 7,598.24            |                | \$ 7,929.57            | -4.18%          | \$ (331)         |
| Gifts and Donations             | \$ -                    | \$ -                   |                | \$ -                   |                 | \$ -             |
| VLT                             | \$ 125,000.00           | \$ 440,789.00          | 352.63%        | \$ 440,789.00          | 0.00%           | \$ -             |
| Unclassified Revenue            | \$ 1,000.00             | \$ 611.50              | 61.15%         | \$ 1,498.73            | -59.20%         | \$ (887)         |
| Reserve revenue                 | \$ -                    | \$ -                   |                | \$ -                   |                 | \$ -             |
| Per Capita State Aid            | \$ 1,750,975.00         | \$ 1,504,868.00        | 85.94%         | \$ 1,504,868.00        | 0.00%           | \$ -             |
| Mortgage Tax                    | \$ 115,000.00           | \$ 52,179.89           | 45.37%         | \$ 76,560.12           | -31.84%         | \$ (24,380)      |
| Real Property Tax Admin         | \$ -                    | \$ -                   |                | \$ -                   |                 | \$ -             |
| State Aid - Record Mgmt         | \$ -                    | \$ -                   |                | \$ 2,616.00            | -100.00%        | \$ (2,616)       |
| Rail Infrastructure Invest. Act | \$ -                    | \$ -                   |                | \$ -                   |                 | \$ -             |
| State Aid - Public Safety       | \$ 24,915.03            | \$ (19,381.52)         | -77.79%        | \$ 8,380.47            | -331.27%        | \$ (27,762)      |
| Consolidate Highway (CHIPS)     | \$ 519,980.00           | \$ -                   | 0.00%          | \$ -                   |                 | \$ -             |
| State Aid - Sidewalk repair     | \$ -                    | \$ -                   |                | \$ -                   |                 | \$ -             |
| Code Enforcement - member it    | \$ -                    | \$ -                   |                | \$ -                   |                 | \$ -             |
| Recreation Program              | \$ 19,715.00            | \$ 3,442.00            | 17.46%         | \$ 3,442.00            | 0.00%           | \$ -             |
| Arterial Reimbursement          | \$ 157,400.00           | \$ 86,949.91           | 55.24%         | \$ -                   |                 | \$ 86,950        |
| State Aid - Planning Studies    | \$ 50,848.75            | \$ (24,151.25)         | -47.50%        | \$ -                   |                 | \$ (24,151)      |
| State Aid Conservation Progr    | \$ 15,000.00            | \$ -                   | 0.00%          | \$ -                   |                 | \$ -             |
| Fed. Aid - Bullet Proof Vest    | \$ 1,890.00             | \$ -                   | 0.00%          | \$ -                   |                 | \$ -             |
| Fed. Aid - Hmld Security        | \$ 69,866.01            | \$ 53,733.08           | 76.80%         | \$ -                   |                 | \$ 53,733        |
| Fed Aid - Public Safety         | \$ 4,615.20             | \$ 2,945.43            | 63.82%         | \$ -                   |                 | \$ 2,945         |
| Interfund Transfers             | \$ 200,000.00           | \$ 146,265.00          | 73.13%         | \$ 201,303.00          | -27.34%         | \$ (55,038)      |
| <b>TOTAL REVENUES</b>           | <b>\$ 15,544,449.89</b> | <b>\$ 9,318,538.25</b> | <b>59.95%</b>  | <b>\$ 9,245,202.44</b> | <b>0.79%</b>    | <b>\$ 73,338</b> |

**GENERAL FUND  
CITY OF BATAVIA  
FOR PERIOD ENDED - August 31, 2016**

| DESCRIPTION                    | ADJUSTED<br>BUDGET      | YTD<br>TOTAL           | % OF<br>BUDGET | YTD<br>2015            | YTD<br>Change % | Change \$             |
|--------------------------------|-------------------------|------------------------|----------------|------------------------|-----------------|-----------------------|
| <b>Expenses</b>                |                         |                        |                |                        |                 |                       |
| City Council                   | \$ 51,700.00            | \$ 17,210.94           | 33.29%         | \$ 18,826.71           | -8.58%          | \$ (1,616)            |
| City Manager                   | \$ 160,700.00           | \$ 55,208.22           | 34.35%         | \$ 52,941.86           | 4.28%           | \$ 2,266              |
| Finance                        | \$ 151,972.42           | \$ 33,005.38           | 21.72%         | \$ 55,312.48           | -40.33%         | \$ (22,307)           |
| Administrative Services        | \$ 326,550.00           | \$ 156,171.04          | 47.82%         | \$ 198,427.41          | -21.30%         | \$ (42,256)           |
| Clerk-Treasurer                | \$ 122,750.00           | \$ 51,764.91           | 42.17%         | \$ 82,112.70           | -36.96%         | \$ (30,348)           |
| City Assessment                | \$ 138,442.00           | \$ 57,097.22           | 41.24%         | \$ 41,332.65           | 38.14%          | \$ 15,765             |
| Legal Services                 | \$ 223,805.00           | \$ 104,719.98          | 46.79%         | \$ 68,455.56           | 52.98%          | \$ 36,264             |
| Personnel                      | \$ 139,900.00           | \$ 39,056.07           | 27.92%         | \$ 43,467.15           | -10.15%         | \$ (4,411)            |
| Engineering                    | \$ 32,000.00            | \$ 8,328.00            | 26.03%         | \$ 14,500.00           | -42.57%         | \$ (6,172)            |
| Elections                      | \$ 18,210.00            | \$ 18,210.00           | 100.00%        | \$ 11,835.00           | 53.87%          | \$ 6,375              |
| Public Works Admin             | \$ 94,960.00            | \$ 29,632.39           | 31.21%         | \$ 28,115.28           | 5.40%           | \$ 1,517              |
| City Facilities                | \$ 353,837.39           | \$ 112,726.11          | 31.86%         | \$ 129,274.73          | -12.80%         | \$ (16,549)           |
| Information Systems            | \$ 79,575.00            | \$ 53,505.50           | 67.24%         | \$ 48,125.00           | 11.18%          | \$ 5,381              |
| Contingency                    | \$ 250,000.00           | \$ -                   | 0.00%          | \$ -                   |                 | \$ -                  |
| Police                         | \$ 3,637,737.85         | \$ 1,153,855.66        | 31.72%         | \$ 1,119,704.75        | 3.05%           | \$ 34,151             |
| Fire                           | \$ 4,579,004.37         | \$ 2,061,107.92        | 45.01%         | \$ 1,095,097.60        | 88.21%          | \$ 966,010            |
| Control of Dogs                | \$ 1,310.00             | \$ 74.38               | 5.68%          | \$ 1,017.69            | -92.69%         | \$ (943)              |
| Inspection                     | \$ 296,400.00           | \$ 100,640.76          | 33.95%         | \$ 94,697.09           | 6.28%           | \$ 5,944              |
| Vital Statistics               | \$ 18,410.00            | \$ 5,494.12            | 29.84%         | \$ 5,388.18            | 1.97%           | \$ 106                |
| Maintenance Admin              | \$ 180,153.52           | \$ 58,479.97           | 32.46%         | \$ 54,605.52           | 7.10%           | \$ 3,874              |
| Street Maintenance             | \$ 757,435.00           | \$ 429,284.76          | 56.68%         | \$ 282,659.15          | 51.87%          | \$ 146,626            |
| Public Works Garage            | \$ 443,782.00           | \$ 124,466.17          | 28.05%         | \$ 147,862.07          | -15.82%         | \$ (23,396)           |
| Snow Removal                   | \$ 587,609.00           | \$ 21,045.37           | 3.58%          | \$ 100,929.94          | -79.15%         | \$ (79,885)           |
| Street Lights/Traf Signals     | \$ 305,960.60           | \$ 95,006.61           | 31.05%         | \$ 78,198.47           | 21.49%          | \$ 16,808             |
| Sidewalk Repairs               | \$ 259,990.00           | \$ 207,601.00          | 79.85%         | \$ -                   |                 | \$ 207,601            |
| Parking Lots                   | \$ 35,200.00            | \$ 4,066.96            | 11.55%         | \$ -                   |                 | \$ 4,067              |
| Community Development          | \$ 95,848.75            | \$ 31,097.33           | 32.44%         | \$ 24,653.08           | 26.14%          | \$ 6,444              |
| Economic Development           | \$ -                    | \$ -                   |                | \$ -                   |                 | \$ -                  |
| Council on Arts                | \$ 2,250.00             | \$ 2,250.00            | 100.00%        | \$ 2,250.00            | 0.00%           | \$ -                  |
| Parks                          | \$ 614,430.60           | \$ 253,119.44          | 41.20%         | \$ 238,315.81          | 6.21%           | \$ 14,804             |
| Summer Recreation              | \$ 70,636.58            | \$ 49,147.23           | 69.58%         | \$ 47,885.48           | 2.63%           | \$ 1,262              |
| Youth Services                 | \$ 159,775.00           | \$ 50,658.72           | 31.71%         | \$ 49,732.11           | 1.86%           | \$ 927                |
| Historic Preservation          | \$ 2,100.00             | \$ 53.23               | 2.53%          | \$ 201.81              | -73.62%         | \$ (149)              |
| Celebrations                   | \$ 13,640.00            | \$ 6,399.93            | 46.92%         | \$ 6,196.97            | 3.28%           | \$ 203                |
| Planning & Zoning Boards       | \$ 3,200.00             | \$ 705.98              | 22.06%         | \$ 1,001.63            | -29.52%         | \$ (296)              |
| Storm Sewers                   | \$ 209,809.69           | \$ 52,574.51           | 25.06%         | \$ 63,506.75           | -17.21%         | \$ (10,932)           |
| Refuse & Recycling             | \$ 64,762.00            | \$ 32,468.37           | 50.13%         | \$ 9,753.74            | 232.88%         | \$ 22,715             |
| Street Cleaning                | \$ 310,950.00           | \$ 205,599.34          | 66.12%         | \$ 20,053.60           | 925.25%         | \$ 185,546            |
| Medical Insurance              | \$ 1,611,970.00         | \$ 845,271.57          | 52.44%         | \$ 741,683.32          | 13.97%          | \$ 103,588            |
| Debt Service                   | \$ 644,445.00           | \$ 333,898.85          | 51.81%         | \$ 280,761.17          | 18.93%          | \$ 53,138             |
| Energy Lease                   | \$ 75,475.00            | \$ -                   | 0.00%          | \$ 125,000.00          | -100.00%        | \$ (125,000)          |
| Transfer for capital projects  | \$ 125,000.00           | \$ 125,000.00          | 100.00%        | \$ -                   |                 | \$ 125,000            |
| Transfer to other funds        | \$ 322,090.00           | \$ 60,750.00           | 18.86%         | \$ 398,230.00          | -84.74%         | \$ (337,480)          |
| Capital Reserves               | \$ 146,265.00           | \$ 146,265.00          | 100.00%        | \$ 201,303.00          | -27.34%         | \$ (55,038)           |
| <b>TOTAL EXPENSES</b>          | <b>\$ 17,720,041.77</b> | <b>\$ 7,193,018.94</b> | <b>40.59%</b>  | <b>\$ 5,983,415.46</b> | <b>20.22%</b>   | <b>\$ 1,209,603</b>   |
| <b>Operating Income (Loss)</b> |                         | <b>\$ 2,125,619.31</b> |                | <b>\$ 3,261,786.98</b> | <b>-34.84%</b>  | <b>\$ (1,136,268)</b> |

**WATER FUND  
CITY OF BATAVIA  
FOR PERIOD ENDED - August 31, 2016**

| DESCRIPTION                    | ADJUSTED<br>BUDGET     | YTD<br>TOTAL           | % OF<br>BUDGET | YTD<br>2015            | YTD<br>Change % |
|--------------------------------|------------------------|------------------------|----------------|------------------------|-----------------|
| <b>Revenues</b>                |                        |                        |                |                        |                 |
| Metered Water Sales            | \$ 2,413,047.00        | \$ 722,365.89          | 29.94%         | \$ 763,653.32          | -5.41%          |
| Bulk Water Sales               | \$ 15,000.00           | \$ 16,368.21           | 109.12%        | \$ 11,287.29           | 45.01%          |
| Water Service Charges          | \$ 2,500.00            | \$ 1,620.00            | 64.80%         | \$ 3,270.00            | -50.46%         |
| Capital improvement fee        | \$ 128,439.00          | \$ 58,594.91           | 44.06%         | \$ 51,207.64           | 10.52%          |
| Int/Pen-Water Rents            | \$ 35,000.00           | \$ 7,316.54            | 20.90%         | \$ 10,654.96           | -31.33%         |
| County Contract                | \$ 1,344,083.00        | \$ 323,655.00          | 24.08%         | \$ 324,240.00          | -0.18%          |
| Other Govt - Walnut St Const   | \$ -                   | \$ -                   |                | \$ -                   |                 |
| Interest and Earnings          | \$ 1,000.00            | \$ 554.25              | 55.43%         | \$ 1,290.68            | -57.06%         |
| Interest and Earnings-Reserve  | \$ -                   | \$ 426.52              |                | \$ 1,896.66            | -77.51%         |
| State Aid - Rate study         | \$ -                   | \$ -                   |                | \$ -                   |                 |
| State Aid - Planning           | \$ -                   | \$ -                   |                | \$ -                   |                 |
| Federal Aid - Bank Street CDBC | \$ -                   | \$ -                   |                | \$ -                   |                 |
| Rental of Real Property        | \$ 550,000.00          | \$ 137,500.00          | 25.00%         | \$ 137,500.00          | 0.00%           |
| Sale of scrap                  | \$ 1,800.00            | \$ 89.37               | 4.97%          | \$ -                   |                 |
| Sale of equipment              | \$ -                   | \$ 135.00              |                | \$ -                   |                 |
| Gain on disposition of asset   | \$ -                   | \$ -                   |                | \$ -                   |                 |
| Insurance recoveries           | \$ -                   | \$ -                   |                | \$ -                   |                 |
| Other Compensation for Loss    | \$ -                   | \$ 1,051.50            |                | \$ 3,799.22            |                 |
| Healthcare premiums            | \$ 11,500.00           | \$ -                   | 0.00%          | \$ -                   |                 |
| Healthcare revenue             | \$ -                   | \$ 757.18              |                | \$ 827.18              | -8.46%          |
| Unclassified revenue           | \$ 5,000.00            | \$ 1,588.69            | 31.77%         | \$ 2,034.90            | -21.93%         |
| Reserve revenue                | \$ 768,151.00          | \$ 140,939.00          | 18.35%         | \$ 142,507.11          | -1.10%          |
| Interfund transfers            | \$ -                   | \$ -                   |                | \$ -                   |                 |
| <b>Total Revenue</b>           | <b>\$ 5,275,520.00</b> | <b>\$ 1,410,962.06</b> | <b>26.75%</b>  | <b>\$ 1,454,168.96</b> | <b>-2.97%</b>   |
| <b>Expenses</b>                |                        |                        |                |                        |                 |
| Contingency                    | \$ 15,000.00           | \$ -                   | 0.00%          | \$ -                   | 0.00%           |
| Water Admin                    | \$ 2,438,745.42        | \$ 605,649.49          | 24.83%         | \$ 613,536.94          | -1.29%          |
| Pump Station & Filtration      | \$ 1,212,678.91        | \$ 385,646.41          | 31.80%         | \$ 364,679.07          | 5.75%           |
| Water Distribution             | \$ 379,440.00          | \$ 132,024.68          | 34.79%         | \$ 144,597.66          | -8.70%          |
| Medical Insurance              | \$ 160,210.00          | \$ 73,437.41           | 45.84%         | \$ 65,544.15           | 12.04%          |
| Debt Service bonds             | \$ 33,131.00           | \$ 5,707.79            | 17.23%         | \$ 1,934.82            | 195.00%         |
| Energy lease                   | \$ 18,010.00           | \$ -                   | 0.00%          | \$ -                   |                 |
| Transfers for capital projects | \$ 700,000.00          | \$ -                   | 0.00%          | \$ 60,421.11           | -100.00%        |
| Transfer to Other Funds        | \$ 243,740.00          | \$ 8,250.00            | 3.38%          | \$ 54,070.00           | -84.74%         |
| Capital Reserves               | \$ 140,939.00          | \$ 140,939.00          | 100.00%        | \$ 82,086.00           | 71.70%          |
| <b>Total Expense</b>           | <b>\$ 5,341,894.33</b> | <b>\$ 1,351,654.78</b> | <b>25.30%</b>  | <b>\$ 1,386,869.75</b> | <b>-2.54%</b>   |
| <b>Operating Income (Loss)</b> |                        | <b>\$ 59,307.28</b>    |                | <b>\$67,299.21</b>     | <b>-11.88%</b>  |

**Consumption**

\*consumption in 1,000 gallons

|              | 2016           | Difference     | 2015           | Difference   | 2014           |
|--------------|----------------|----------------|----------------|--------------|----------------|
| April        | 68,563         | -0.48%         | 68,893         | 14.34%       | 60,255         |
| May          | 20,800         | 2.27%          | 20,338         | 22.24%       | 16,638         |
| June         | 20,079         | -4.85%         | 21,102         | 2.19%        | 20,649         |
| July         | 67,894         | -4.28%         | 70,939         | 4.61%        | 67,810         |
| August       | 21,283         | -1.57%         | 21,623         | 3.00%        | 20,993         |
| Sept         | 24,753         | 11.38%         | 22,223         | 0.62%        | 22,085         |
| Oct*         | 102,492        | 22.17%         | 83,891         | 9.00%        | 76,963         |
| Nov          | 0              | -100.00%       | 21,604         | 0.14%        | 21,574         |
| Dec          | 0              | -100.00%       | 21,247         | -1.07%       | 21,477         |
| Jan*         | 0              | -100.00%       | 79,880         | 5.50%        | 75,713         |
| Feb          | 0              | -100.00%       | 20,838         | 0.39%        | 20,758         |
| March        | 0              | -100.00%       | 21,581         | -3.08%       | 22,267         |
| <b>Total</b> | <b>325,864</b> | <b>265.19%</b> | <b>474,159</b> | <b>6.03%</b> | <b>447,182</b> |

**SEWER FUND  
CITY OF BATAVIA  
FOR PERIOD ENDED - August 31, 2016**

| DESCRIPTION                    | ADJUSTED<br>BUDGET     | YTD<br>TOTAL           | % OF<br>BUDGET | YTD<br>2015            | YTD<br>Change % |
|--------------------------------|------------------------|------------------------|----------------|------------------------|-----------------|
| <b>Revenues</b>                |                        |                        |                |                        |                 |
| Sewer Rents                    | \$ 2,473,988.00        | \$ 936,178.13          | 37.84%         | \$ 1,028,755.67        | -9.00%          |
| Sewer Surcharge                | \$ -                   | \$ 61,160.99           |                | \$ 43,653.86           | 40.10%          |
| Int/Pen-Sewer Rents            | \$ 25,000.00           | \$ 5,088.32            | 20.27%         | \$ 6,372.44            | -20.47%         |
| Interest and earnings          | \$ 1,280.00            | \$ 1,129.06            | 88.21%         | \$ 11,301.16           | -90.01%         |
| Interest & Earnings Cap. Rsv   | \$ -                   | \$ 522.78              |                | \$ 989.21              | -47.15%         |
| CHIPS - North/Ross             | \$ -                   | \$ -                   |                | \$ -                   |                 |
| Sale of equipment              | \$ -                   | \$ 13,500.00           |                | \$ -                   |                 |
| Healthcare premiums            | \$ 1,600.00            | \$ -                   | 0.00%          | \$ -                   |                 |
| Healthcare revenue             | \$ -                   | \$ 449.03              |                | \$ 751.12              | -40.22%         |
| Unclassified revenue           | \$ 70,000.00           | \$ 39,964.51           | 57.09%         | \$ 151,823.78          | -73.68%         |
| Interfund transfers inc        | \$ -                   | \$ -                   |                | \$ -                   |                 |
| Reserve revenue                | \$ 646,200.00          | \$ 730,000.00          | 112.97%        | \$ 120,500.00          | 505.81%         |
| <b>Total Revenues</b>          | <b>\$ 3,218,068.00</b> | <b>\$ 1,787,972.82</b> | <b>55.56%</b>  | <b>\$ 1,364,147.24</b> | <b>31.07%</b>   |
| <b>Expenses</b>                |                        |                        |                |                        |                 |
| Contingency                    | \$ 15,000.00           | \$ -                   | 0.00%          | \$ -                   |                 |
| Wastewater Admin               | \$ 301,265.41          | \$ 91,016.78           | 30.21%         | \$ 92,117.29           | -1.19%          |
| Sanitary Sewers                | \$ 422,740.00          | \$ 108,373.06          | 25.64%         | \$ 108,417.55          | -0.04%          |
| Wastewater Treatment           | \$ 843,888.08          | \$ 242,642.78          | 28.75%         | \$ 244,698.78          | -0.84%          |
| Medical Insurance              | \$ 95,310.00           | \$ 39,364.35           | 41.30%         | \$ 57,927.58           | -32.05%         |
| Debt Service                   | \$ 229,287.00          | \$ 10,134.60           | 4.42%          | \$ 3,708.70            | 173.27%         |
| Energy lease                   | \$ 7,471.00            | \$ -                   | 0.00%          | \$ -                   |                 |
| Transfer to Other Funds        | \$ 31,810.00           | \$ 6,000.00            | 18.86%         | \$ 39,330.00           | -84.74%         |
| Transfers for Capital projects | \$ 562,000.00          | \$ -                   | 0.00%          | \$ -                   |                 |
| Capital Reserves               | \$ 730,000.00          | \$ 730,000.00          | 100.00%        | \$ 120,500.00          | 505.81%         |
| <b>Total Expenses</b>          | <b>\$ 3,238,771.49</b> | <b>\$ 1,227,531.57</b> | <b>37.90%</b>  | <b>\$ 666,699.90</b>   | <b>84.12%</b>   |
| <b>Operating Income (Loss)</b> |                        | <b>\$ 560,441.25</b>   |                | <b>\$ 697,447.34</b>   | <b>-19.64%</b>  |

**Consumption**

\*consumption in 1,000 gallons

|              | 2016           | Difference     | 2015           | Difference   | 2014           |
|--------------|----------------|----------------|----------------|--------------|----------------|
| April        | 107,238        | 1.26%          | 105,899        | 17.73%       | 89,954         |
| May          | 46,669         | -17.05%        | 56,263         | 4.28%        | 53,952         |
| June         | 20,070         | -3.96%         | 20,897         | 1.95%        | 20,497         |
| July         | 104,983        | -3.36%         | 108,610        | 5.57%        | 102,880        |
| Aug          | 49,374         | -18.74%        | 60,763         | 3.70%        | 58,595         |
| Sept         | 24,633         | 11.22%         | 22,148         | 0.59%        | 22,017         |
| Oct *        | 122,632        | 3.43%          | 118,568        | 8.66%        | 109,123        |
| Nov          | 0              | -100.00%       | 62,618         | 1.53%        | 61,673         |
| Dec          | 0              | -100.00%       | 21,183         | -1.01%       | 21,399         |
| Jan *        | 0              | -100.00%       | 117,594        | 3.30%        | 113,840        |
| Feb          | 0              | -100.00%       | 55,978         | 0.49%        | 55,705         |
| March        | 0              | -100.00%       | 21,572         | -2.47%       | 22,119         |
| <b>Total</b> | <b>475,579</b> | <b>349.09%</b> | <b>772,093</b> | <b>5.51%</b> | <b>731,754</b> |

105,899

**WORKERS COMPENSATION FUND**  
**CITY OF BATAVIA**  
**FOR PERIOD ENDED - August 31, 2016**

| DESCRIPTION                       | ADJUSTED<br>BUDGET   | YTD<br>TOTAL          | % OF<br>BUDGET | YTD<br>2015          | YTD<br>Change % |
|-----------------------------------|----------------------|-----------------------|----------------|----------------------|-----------------|
| <b><u>Revenues</u></b>            |                      |                       |                |                      |                 |
| Workers Compensation              | \$ 322,640.00        | \$ -                  | 0.00%          | \$ 467,260.00        |                 |
| Interest and earnings             | \$ -                 | \$ 44.82              |                | \$ 23.64             | 89.59%          |
| Interest and earnings - Cap Rsrvs | \$ -                 | \$ 37.59              |                | \$ 190.42            | -80.26%         |
| Insurance Recoveries              | \$ -                 | \$ -                  |                | \$ -                 |                 |
| Refunds of Prior Years Expend     | \$ -                 | \$ -                  |                | \$ 74.95             | -100.00%        |
| Reserve revenue                   | \$ -                 | \$ 75,000.00          |                | \$ 24,370.00         | 207.76%         |
| <b>Total Revenues</b>             | <b>\$ 322,640.00</b> | <b>\$ 75,082.41</b>   | <b>23.27%</b>  | <b>\$ 491,919.01</b> | <b>-84.74%</b>  |
| Contractual Expense               | \$ 322,640.00        | \$ 123,058.23         | 38.14%         | \$ 253,494.79        | -51.46%         |
| <b>Total Expenses</b>             | <b>\$ 322,640.00</b> | <b>\$ 123,058.23</b>  | <b>38.14%</b>  | <b>\$ 253,494.79</b> | <b>-51.46%</b>  |
| <b>Operating Income/(Loss)</b>    |                      | <b>\$ (47,975.82)</b> |                | <b>\$ 238,424.22</b> | <b>-120.12%</b> |

**#89-2016**  
**A RESOLUTION TRANSFERRING \$50,000 FROM ASSIGNED FUND BALANCE TO**  
**THE POLICE CAPITAL EQUIPMENT RESERVE FUND**

**Motion of Councilperson**

**WHEREAS**, pursuant to General Municipal Law 6-c the City of Batavia has an established Capital Equipment Reserve Fund; and

**WHEREAS**, the City of Batavia for the fiscal year ending March 31, 2016 had assigned General Fund balance for funding various reserves; and

**WHEREAS**, Police department equipment such as tazers and body cameras are in need of whole sale replacement and as technology regularly changes, making smaller annual investments are not necessarily the most cost effective option. In addition, having all police officers wearing similar and interchangeable equipment is preferred for law enforcement operations; and

**WHEREAS**, it is expected that next year, 2017/18, the department would like to outfit all officers with body cameras, as a result whole sale purchasing of the camera provides lower costs per unit, better warranty and additional accessories; and

**WHEREAS**, the City Council is desirous of transferring \$50,000 of assigned General Fund balance to the Capital Equipment Reserve Fund for police equipment to assist with future equipment replacement and improvements; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the City of Batavia does hereby transfer \$50,000 from the assigned General Fund balance to the Capital Equipment Reserve Fund; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the transfer of funds to the Capital Equipment Reserve Fund is consistent with the City's Strategic Plan in achieving Key Intended Outcome's identified under the Well-Managed City.

**Second by Councilperson**  
**and on Roll Call**



**#90-2016**

**A RESOLUTION TRANSFERRING \$150,000 FROM ASSIGNED FUND BALANCE TO  
THE FIRE CAPITAL EQUIPMENT RESERVE FUND**

**Motion of Councilperson**

**WHEREAS**, pursuant to General Municipal Law 6-c the City of Batavia has an established Capital Equipment Reserve Fund; and

**WHEREAS**, the City of Batavia for the fiscal year ending March 31, 2016 had assigned General Fund balance for funding various reserves; and

**WHEREAS**, the City of Batavia in 2012 replaced Engine 14 (22 years old) and in 2016 replaced Ladder 15 (23 years old) utilizing reserve funds; and

**WHEREAS**, the City of Batavia for the fiscal year ending March 31, 2016 has a fire engine/pumper (Engine 12) which is 14 years; and

**WHEREAS**, the department is in need of replacing its current self-contained breathing apparatus (SCBA) and as technology changes and having all firefighters wearing interchangeable equipment is ideal for firefighter operations. The City currently has 25 SCBA units; and

**WHEREAS**, within the next five years the City will be faced with replacing or refurbishing Engine 12 and 25 SCBA units; and

**WHEREAS**, the City Council is desirous of transferring \$150,000 of assigned General Fund balance to the Capital Equipment Reserve Fund for fire equipment to assist with future equipment replacement and improvements; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the City of Batavia does hereby transfer \$150,000 from the assigned General Fund balance to the Capital Equipment Reserve Fund; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the transfer of funds to the Capital Equipment Reserve Fund is consistent with the City's Strategic Plan in achieving Key Intended Outcome's identified under the Well-Managed City.

**Second by Councilperson  
and on roll call**

**#91-2016**

**A RESOLUTION TRANSFERRING \$200,000 FROM ASSIGNED FUND BALANCE TO  
THE PUBLIC WORKS CAPITAL EQUIPMENT RESERVE FUND**

**Motion of Councilperson**

**WHEREAS**, pursuant to General Municipal Law 6-c the City of Batavia has an established Capital Equipment Reserve Fund; and

**WHEREAS**, the City of Batavia for the fiscal year ending March 31, 2015 had assigned General Fund balance for funding various reserves; and

**WHEREAS**, since the development of the Equipment Replacement Plan (ERP) in 2011 the City has replaced 20 pieces public works equipment, valued at over \$2.5 million; and

**WHEREAS**, the City has made significant strides in improving the fleet over the past several years, however for the fiscal year ending March 31, 2016 the remaining fleet remains in poor shape, very old and is fully depreciated; and

**WHEREAS**, by 2021 the ERP outlines replacing two loaders, a single axle dump truck with plow and several additional light and medium duty pieces of equipment, estimated at over \$800,000. The average age of this equipment today is 22 years old; and

**WHEREAS**, the City Council is desirous of transferring \$200,000 of assigned General Fund balance to the Capital Equipment Reserve Fund for public works equipment to assist with future equipment replacement and improvements; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the City of Batavia does hereby transfer \$200,000 from the assigned General Fund balance to the Capital Equipment Reserve Fund; and

**BE IT FURTHER RESOLVED**, that the transfer of funds to the Capital Equipment Reserve Fund is consistent with the City's Strategic Plan in achieving Key Intended Outcome's identified under the Well-Managed City strategic priority.

**Second by Councilperson**  
**And on roll call**

**#92-2016**  
**A RESOLUTION TRANSFERRING \$125,000 FROM ASSIGNED FUND BALANCE TO**  
**THE DWYER STADIUM REPAIR RESERVE FUND**

**Motion of Councilperson**

**WHEREAS**, pursuant to General Municipal Law 6-d the City of Batavia has an established Dwyer Stadium Repair Reserve Fund; and

**WHEREAS**, the reserve fund was established for the purpose of replacing or making major repairs to capital improvements and equipment for Dwyer Stadium; and

**WHEREAS**, it has been nearly 20 years since major capital improvements have been made to Dwyer Stadium; and

**WHEREAS**, in 2015 a 5-year capital plan was developed with the current operator of the stadium and was adopted by City Council with the 2015/16 budget; and

**WHEREAS**, the most significant expenditure (over \$200,000) on the capital plan is a roof replacement for the main building and dugouts, and with consistent contributions to the Dwyer Stadium reserve fund, most of the improvements can be completed within the adopted capital plan

**WHEREAS**, the City Council is desirous of transferring \$125,000 of assigned General Fund balance to the Dwyer Stadium Repair Reserve Fund to make future repairs and improvements to Dwyer Stadium; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the City of Batavia does hereby transfer \$125,000 from assigned General Fund balance to the Dwyer Stadium Repair Reserve.

**BE IT FURTHER RESOLVED**, that the transfer of funds to the Dwyer Stadium Repair Reserve Fund is consistent with the City's Strategic Plan in achieving Key Intended Outcome's identified under the Well-Managed City and Steward of City's Physical Assets strategic priorities.

**Second by Councilperson**  
**and on roll call**

**#93-2016**

**A RESOLUTION TRANSFERRING \$400,000 FROM ASSIGNED FUND BALANCE TO  
THE PUBLIC FACILITIES CAPITAL RESERVE FUND**

**Motion of Councilperson**

**WHEREAS**, pursuant to General Municipal Law 6-c the City of Batavia has an established Public Facilities Capital Reserve Fund for purposes of construction, re-construction, repair or replacement of public facilities; and

**WHEREAS**, the City of Batavia for the fiscal year ending March 31, 2016 had assigned General Fund balance for funding various reserves; and

**WHEREAS**, with any building, regular maintenance and capital improvements are necessary in order to preserve the functionality of a building and avoid significant or possible catastrophic repairs due to neglect and that consistent improvements to City facilities will be ongoing and reserve funds will be necessary to absorb any planned or emergency improvements in the future; and

**WHEREAS**, the City has conducted a space needs assessment of the Police Department and is currently reviewing options for an improved police station. While the City Council is yet to make a final determination for a renovation or replacement of the current Police facility, other City facilities remain in disrepair and are in need of improvements; and

**WHEREAS**, City staff has been working with City engineers to prepare a list of improvements for the Bureau of Maintenance and Fire Station. The capital plan for BOM and the Fire Station is still in being finalized however, once completed the improvements will then be incorporated into a capital plan along with other City facility improvements for future years and presented as part of the 2017/2018 budget; and

**WHEREAS**, in preparation of these upcoming expenditures City Council has committed funding to the Public Facilities Capital Reserve Fund over the past four years, and continuing with additional commitment of reserve funding will provide the City with greater financial capacity to handle future improvements; and

**WHEREAS**, the City Council is desirous of transferring \$400,000 of assigned General Fund balance to the Public Facilities Capital Reserve Fund to assist with future construction, replacement and improvements of public facilities; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Batavia does hereby transfer \$400,000 from the assigned General Fund balance to the Public Facilities Capital Reserve Fund.

**BE IT FURTHER RESOLVED**, that the transfer of funds to the Public Facilities Capital Reserve Fund is consistent with the City's Strategic Plan in achieving Key Intended Outcome's identified under the Well-Managed City and Stewards of City's Physical Assets strategic priorities.

**Second by Councilperson  
and on roll call**

**#94-2016**  
**A RESOLUTION TRANSFERRING \$150,000 FROM ASSIGNED FUND BALANCE TO  
THE CAPITAL SIDEWALK RECONSTRUCTION RESERVE FUND**

**Motion of Councilperson**

**WHEREAS**, pursuant to General Municipal Law 6-c the City of Batavia has an established Capital Sidewalk Reconstruction Reserve Fund; and

**WHEREAS**, the City of Batavia for the fiscal year ending March 31, 2016 had assigned General Fund balance for funding various reserves; and

**WHEREAS**, the City of Batavia for the fiscal year ending March 31, 2016 has approximately 59,206 linear feet of sidewalk, or 15.3% of the City's sidewalk network, that needs to be replaced within the City limits estimated to cost approximately \$2.36 million; and

**WHEREAS**, in 2014 the City received a Transportation Alternatives Program (TAP) grant for \$720,657 to complete approximately 12,300 linear feet of sidewalk improvements along pedestrian routes to City schools and the grant requires a local match of \$240,000; and

**WHEREAS**, the City Council is desirous of transferring \$150,000 of assigned General Fund balance to the Capital Sidewalk Reconstruction Reserve Fund to assist with future replacement and improvements of City sidewalks; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Batavia does hereby transfer \$150,000 from the assigned General Fund balance to the Capital Sidewalk Reconstruction Reserve Fund.

**BE IT FURTHER RESOLVED**, that the transfer of funds to the Capital Sidewalk Reconstruction Reserve Fund is consistent with the City's Strategic Plan in achieving Key Intended Outcome's identified under the Well-Managed City and Stewards of the City's Physical Assets strategic priorities.

**Second by Councilperson  
and on roll call**

**#95-2016**

**A RESOLUTION TRANSFERRING \$50,000 FROM ASSIGNED FUND BALANCE TO THE ADMINISTRATIVE SERVICES EQUIPMENT AND SOFTWARE RESERVE FUND**

**Motion of Councilperson**

**WHEREAS**, pursuant to General Municipal Law 6-c the City of Batavia has an established Administrative Services Equipment and Software Reserve Fund; and

**WHEREAS**, the City of Batavia for the fiscal year ending March 31, 2016 had assigned General Fund balance for funding various reserves; and

**WHEREAS**, in March 2015 the City Council created the Administrative Service Equipment and Software Reserve to assist with upgrading and meeting the City's information technology and records management needs to include, but not limited to, replacing antiquated software utilized by the City, some more than 30 years old and operating on a Disk Operating System (DOS) platform; and

**WHEREAS**, the City is currently beginning a tax collection, utility billing and payroll upgrade of the existing system and in upcoming years will be looking to upgrade all financial software including accounts payable, accounts receivable and general ledger as well as code enforcement software; and

**WHEREAS**, considering these upgrades are similar to capital purchases, utilizing reserve funds will allow these improvements to take place without impacting the City's operating budget; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Batavia does hereby transfer \$50,000 from the assigned General Fund balance to the Administrative Services Equipment and Software Reserve Fund.

**BE IT FURTHER RESOLVED**, that the transfer of funds to the Administrative Services Equipment and Software Reserve Fund is consistent with the City's Strategic Plan in achieving Key Intended Outcome's identified under the Well-Managed City strategic priority.

**Second by Councilperson  
and on roll call**

**#96-2016**  
**A RESOLUTION TRANSFERRING \$75,000 FROM ASSIGNED FUND BALANCE TO  
THE EMPLOYEE BENEFIT ACCRUED LIABILITY RESERVE FUND**

**Motion of Councilperson**

**WHEREAS**, pursuant to General Municipal Law 6-p the City of Batavia has an established Employee Benefit Accrued Liability Reserve fund for payment of accrued benefits due to an employee upon termination of the employee's service; and

**WHEREAS**, the City of Batavia for the fiscal year ending March 31, 2016 had assigned General Fund balance for funding various reserves; and

**WHEREAS**, since 2011 the City has paid out over \$800,000 in compensated absence pay outs due to over forty retirements/terminations; and

**WHEREAS**, the City of Batavia for the fiscal year ending March 31, 2016 has \$2.68 million of compensated absence liability; and

**WHEREAS**, the City Council is desirous of transferring \$75,000 of assigned General Fund balance to the Employee Benefit Accrued Liability Reserve Fund to assist with expenditures due to accrued employee benefits due to an employee upon termination of the employee's service; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Batavia does hereby transfer \$75,000 from the assigned General Fund balance to the Employee Benefit Accrued Liability Reserve Fund; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the transfer of funds to the Employee Benefit Accrued Liability Reserve Fund is consistent with the City's Strategic Plan in achieving Key Intended Outcome's identified under the Well-Managed City strategic priority.

**Second by Councilperson  
and on roll call**

**#97-2016**  
**A RESOLUTION TO APPOINT MEMBERS TO VARIOUS**  
**CITY COMMITTEES/ BOARDS**

**Motion of Councilperson**

**WHEREAS**, certain vacancies exist on various City Committees/Boards.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Batavia that the following appointments be made:

**Historic Preservation Commission**

Ellen Schulte

December 31, 2017

**Deer Management Committee**

RaeAnn Engler

December 31, 2018



**#98-2016**  
**A RESOLUTION AUTHORIZING COUNCIL PRESIDENT TO SIGN**  
**LEASE AGREEMENT WITH DENT NEUROLOGIC INSTITUTE**

**Motion of Councilperson**

**WHEREAS**, the City of Batavia and Dent Neurologic Institute are desirous of entering into a Lease Agreement regarding operation of business at 35 City Centre, Batavia, New York; and

**WHEREAS**, the City Manager has negotiated an acceptable lease with Dent Neurologic Institute; and

**WHEREAS**, the City attorney has reviewed and approved the lease agreement and agrees this may continue for approval; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Batavia that the Council President is hereby authorized to execute a lease agreement with Dent Neurologic for space at 35 City Centre, which has been reviewed and is satisfactory to the City Attorney's office.

**Seconded by Councilperson**  
**and on roll call**

**#99-2016**

**A RESOLUTION TO SUBMIT A TRANSPORTATION ALTERNATIVES PROGRAM  
GRANT AND TO PROVIDE A COST SHARE**

**Motion of Councilperson**

**WHEREAS**, the New York State Department of Transportation is offering funding under the Transportation Alternatives Program (TAP) for alternative transportation projects; and

**WHEREAS**, the project to provide safe alternative transportation connections between United Memorial Medical Center, Batavia Downtown Corridor, Batavia school properties, NYS School for The Blind, and three public parks qualifies under the TAP funding program; and

**WHEREAS**, the City of Batavia's Pedestrian Way Improvements project is a high priority for the City;

**NOW THEREFORE, BE IT RESOLVED**, the City Council enthusiastically supports the submission of the TAP grant application by the City Manager;

**BE IT FURTHER RESOLVED**, the City hereby commits to providing 25 percent of the costs to design and construct the Pedestrian Way Improvements Project.

**Seconded by Councilperson  
and on roll call**

**#100-2016**

**A RESOLUTION FOR APPROVAL OF CHANGE ORDER NO. 1 TO THE CONTRACT  
FOR SLUDGE REMOVAL PROJECT**

**Motion of Councilperson:**

**WHEREAS**, on May 24, 2016 the City of Batavia City Council awarded the contract to Environmental Solutions (US) Ltd. to remove alum sludge from one of the secondary ponds S-1 at the Wastewater Treatment Plant; and,

**WHEREAS**, the original contract price was \$1,290,700; and,

**WHEREAS**, it was determined that the contract award was \$800,000 under budget and a change order in the amount of \$400,000 would allow for additional removal of the alum sludge in the secondary ponds S-1; and

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Batavia that Change Order No. 1 to the contract with Environmental Solutions (US) Ltd. for alum sludge removal at the Wastewater Treatment Plant, in the amount of \$400,000, is hereby approved.

**Seconded by Councilperson  
and on roll call**

**#101-2016**  
**A RESOLUTION TO SUPPORT THE TRANSFORMATIONAL**  
**ELLICOTT STATION PHASE I REDEVELOPMENT PROPOSED IN THE**  
**CITY OF BATAVIA BROWNFIELD OPPORTUNITY AREA**

**Motion of Councilperson**

**WHEREAS**, the City of Batavia, in 2009, applied for and competed for a New York State Brownfield Opportunity Area (BOA) central business corridor planning grant from the New York State Department of State (DOS); and

**WHEREAS**, the City of Batavia, in 2012, was selected by DOS to receive a \$265,000 BOA planning grant for the City of Batavia central business corridor; and

**WHEREAS**, as part of the BOA planning process, the BOA Step 2: Nomination Plan provided an in-depth and thorough description of the central business corridor, including an economic and market trends analysis of existing conditions, opportunities, and reuse potential for properties located in the BOA with an emphasis on the identification and reuse potential of five strategic sites in Batavia that are considered catalysts for City-wide revitalization; and

**WHEREAS**, the City Council of the City of Batavia adopted the proposed BOA central business corridor plan in June 2014 and thereafter, the City of Batavia received designated BOA status for the central business corridor by the DOS in April 2015; and

**WHEREAS**, the City of Batavia has, by resolution, tasked the Batavia Development Corporation to implement the BOA plan; and

**WHEREAS**, both the City of Batavia and the Batavia Development Corporation have vigorously pursued implementation of the BOA plan and taken several actions to acquire BOA strategic sites to implement the BOA plan, eliminate blight, and encourage private investment and job creation; and

**WHEREAS**, related thereto, the City of Batavia obtained an in rem default foreclosure judgement on one of the BOA strategic sites located at 40-52 Ellicott Street (the "BOA Property") and conveyed the BOA Property to the Batavia Development Corporation for purposes of implementing the BOA plan; and

**WHEREAS**, the Batavia Development Corporation, confirmed the presence of contamination potentially adversely affecting the public health at the BOA Property; and

**WHEREAS**, the New York State Department of Environmental Conservation (DEC) Brownfield Cleanup Program (BCP) provides owners of contaminated real property, who enroll such a property into the BCP, with certain liability protections and tax credits in return for remediating such a site under the supervision of the DEC; and

**WHEREAS**, to better position the BOA Property for re-use and new investment, to fast-track remediation and redevelopment of the BOA Property, and to eliminate the environmental unknowns associated with the BOA Property while securing liability relief and tax credits for future environmental remediation, the Batavia Development Corporation proactively applied for the BOA Property to be accepted into the BCP; and

**WHEREAS**, the DEC accepted the BOA Property into the BCP in June of 2015; and

**WHEREAS**, immediately upon acceptance of the BOA Property into the BCP, the Batavia Development Corporation broadly advertised for its redevelopment through a formal Request for Proposal (RFP) process and hosted tours of the site; and

**WHEREAS**, Savarino Companies submitted a \$17MM redevelopment plan and proforma for the BOA Property in alignment with the BOA central business corridor plan and RFP requirements for the BOA Property consisting of a mixed-use commercial and residential project that will remediate legacy environmental contamination and protect public health and that is anticipated to create upwards of 145 temporary jobs and approximately 160 permanent jobs, introduce quality downtown housing, employ people from the high poverty neighborhoods, and secure high quality tenants (the “Ellicott Station Project”); and

**WHEREAS**, the Batavia Development Corporation selected Savarino Companies as the preferred developer for the BOA Property based on its demonstrated brownfield clean-up experience, recognition for quality adaptive re-use projects, and new construction success, in addition to, proven unique workforce development initiatives recruiting and training unemployed workers from highly distressed neighborhoods; and

**WHEREAS**, the data obtained from and planning associated with the BOA central business corridor plan and planning effort as paid for by the DOS BOA grant were required and essential elements to the City of Batavia and the Batavia Development Corporation efforts to initiate brownfield remediation and redevelopment efforts within the City of Batavia; and

**WHEREAS**, the City of Batavia is on the cusp of successfully implementing the Ellicott Station Project, being the City of Batavia’s first BOA project, on one of the strategic sites located within the BOA central business corridor plan – the BOA Property, as described above; and

**WHEREAS**, to ensure successful implementation of the BOA central business corridor plan and, as equally important, to ensure the successful remediation and redevelopment of the BOA Property and the Ellicott Station Project, the City Manager of the City of Batavia, the Executive Director of the Batavia Development Corporation, and principals from Savarino Companies met with Empire State Development (ESD) leadership in October 2015 to identify financial assistance that could be available for the BOA Property; and

**WHEREAS**, ESD’s recommended approach was to phase the Ellicott Station Project in order to better compete for, and apply for, a “Consolidated Funding Application (CFA)” to New York State to access an Empire State Development Capital Grant for purposes of providing financial assistance to the Ellicott Station Project that will ensure the City of Batavia is able to implement the first remediation and redevelopment of a strategic site located within the City of Batavia BOA central business corridor plan; and

**WHEREAS**, prior to CFA submission, in a local effort to generate funds to support public infrastructure improvements and extraordinary redevelopment costs required for successful implementation of strategic site redevelopment within the City of Batavia BOA central business corridor plan, the City of Batavia, the City of Batavia Central School District, and the County of Genesee (collectively, the “Taxing Jurisdictions”) agreed to pool resources creating the “*Batavia Pathway to Prosperity*”, which is a local PILOT increment financing (PIF) program created through an inter-municipal agreement between the Taxing Jurisdictions, the Batavia Development Corporation and the Genesee County Economic Development Center (GCEDC) established to invest PIF funds into the City’s BOA central business corridor plan district, the County’s most distressed area, representing the first program of its kind in New York State where all local taxing jurisdictions are participating in such an effort to implement a BOA plan; and

**WHEREAS**, in June of 2016, the City of Batavia and its *Pathway to Prosperity* partners applied for Governor Cuomo’s \$10MM Downtown Revitalization Initiative featuring the Ellicott Station Project and the redevelopment of the BOA Property and although becoming a regional finalist for this award, the City of Batavia as the second largest City in the Region was not awarded the \$10MM funds; and

**WHEREAS**, in July 2016, the Batavia Development Corporation submitted CFA Application #67491 Ellicott Station Project 2016 and an Anti-Poverty Statement to the Finger Lakes Regional Economic Development Council (the “REDC”) identifying, in accordance with ESD’s recommended phasing approach, the Ellicott Station Project Phase I as a downtown \$7.8MM BOA community development project that involves remediation, adaptive reuse and new construction at the BOA Property requesting a minimum ESD Capital grant of \$1.9MM; and

**WHEREAS**, the REDC has recognized Ellicott Station as having a regional impact and listed it as a “Five-year Pipeline Initiative” within its 2016 Progress Report & Recommended Priority Projects; and

**WHEREAS**, the City of Batavia, in October 2016 also applied to ESD on behalf of the Ellicott Station Project, to the Restore NY program for a \$500K grant designed to revitalize urban centers, induce commercial investment and improve the municipal housing stock; and

**WHEREAS**, the DOS BOA planning commitment and funding related thereto was the catalyst behind all of the aforementioned activities that, as of today, have resulted in the imminent remediation of a public health hazard and associated approximately \$17MM redevelopment and adaptive reuse of a blighted BOA strategic site in the City of Batavia; and

**WHEREAS**, beyond the use of BOA planning grant money, and to obtain the return on the DOS BOA planning grant money investment, redevelopment of BOA strategic sites within the City of Batavia requires creative commitments of additional funding to be obtained by use of PIF, CFA, and Restore NY, all as described herein; and

**WHEREAS**, the CFA capital grant as well as the Restore NY grant, totaling approximately \$2.4MM are necessary to advance the Phase I component of the Ellicott Station Project and will be matched by substantial private equity investment and significant local resources through the *Batavia Pathway to Prosperity* program; and

**WHEREAS**, the City of Batavia, the Batavia Development Corporation, the *Batavia Pathway to Prosperity* partners, and more importantly, the residents of the City of Batavia, have spent seven years, since 2009, implementing the BOA planning process, establishing a community based BOA plan through significant public input, believing that the BOA planning effort would be more than just a plan, and have backed up their “more than just a plan” expectations by committing over seven years of City of Batavia and Batavia Development Corporation staff time and funding to finally make redevelopment and investment happen in the City of Batavia; and

**WHEREAS**, the City of Batavia City Council commends the residents of the City of Batavia for their on-going seven year commitment to the successful implementation of the DOS BOA plan and to recognize the tireless efforts of the Batavia Development Corporation and its *Batavia Pathway to Prosperity* partners and their seven year commitment and effort to comply with the DOS BOA planning initiative and to bring the DOS BOA plan to life by bringing about private investment and BOA strategic site remediation and redevelopment; and

**WHEREAS**, the City of Batavia City Council desires to encourage Empire State Development to award the CFA Grant and Restore NY Grant for the Phase I component of the Ellicott Station Project, said funds being critical to implementing, and to be combined with Savarino Company funds and *Batavia Pathway to Prosperity* funds, to implement and undertake, the DOS BOA plan and the Phase I component of the Ellicott Station Project; and

**NOW THEREFORE, LET IT BE RESOLVED**, that the City of Batavia City Council applauds the DOS BOA effort to date and recognizes that implementation of the DOS BOA plan is threatened and will not otherwise occur unless certain CFA-Empire State Development and Restore NY grants can be obtained to be used as match money to implement the Ellicott Station Project; and

**BE IT FURTHER RESOLVED**, that the City of Batavia City Council encourages New York State agencies, collectively, to partner with the City of Batavia and its Taxing Jurisdictions to consider the Ellicott Station Phase I Project as a transformational initiative in the Finger Lakes Region that will:

- Decisively and finally assist in implementing the DOS sponsored City of Batavia BOA initiatives, thereby leveraging significant local and private investment, and over seven years of planning and strategizing efforts, to protect the public health and create new jobs and new investment
- Facilitate an extraordinary multi-million dollar investment into a City of Batavia census tract having more than 30% of its residents living in poverty and nearly 7% unemployed
- Create critical mass and propel revitalization of the City's historic mixed-use downtown, a commercial district with three State Routes intersecting experiencing more than 35,000 vehicles per day as a regional hub for commerce and services
- Complement significant public and private downtown investments nearby at Tompkins/Bank of Castile headquarters, Masonic Lodge rehabilitation, Carr's Warehouse adaptive reuse and soon underway, renovations to the former Newberry building; and

**BE IT FURTHER RESOLVED**, that the City of Batavia City Council respectfully requests ESD and REDC to award the CFA Grant and Restore NY Grant for the Phase I component of the Ellicott Station Project to ensure the already expended DOS BOA planning grant money can be fully leveraged to bring about the vision, the environmental remediation, the private sector investment, and the new job creation as proposed and expected to be created by, the DOS BOA plan.

**Second by Councilperson**  
**And on roll call**

**#102-2016**

**A RESOLUTION AUTHORIZING COUNCIL PRESIDENT TO SIGN  
A DEMOLITION REIMBURSEMENT AGREEMENT WITH WELLS FARGO**

**Motion of Councilperson**

**WHEREAS**, the City of Batavia and Wells Fargo are desirous of entering into a Code Enforcement and Building Demolition Agreement for 23 Columbia Avenue, (SBL# 84.043-1-35) in the City in Batavia, New York; and

**WHEREAS**, the residential structure on the property consists of a single family dwelling and the structure is an unsafe structure under Batavia Municipal Code ("BMC") Section 55-2 and New York State Property Maintenance Code ("PMC") Sections 107.1.2 and 107.1.3; and

**WHEREAS**, The City, through duly authorized New York State Code Enforcement Official ("CEO"), has inspected the structure and on April 23, 2015 issued a Notice of Unsafe Building and condemnation Order under BMC Section 55-5(C) and PMC Section 107.1.2 and 107.1.3, and the Notice requires the structure to be demolished within thirty (30) days; and

**WHEREAS**, Section 55-5(C)(3) of the BMC provides that a mortgagee or other party with interest in the property may perform the demolition upon receipt of the Notice within thirty (30) days; and

**WHEREAS**, the City Manager has negotiated an acceptable reimbursement agreement with Wells Fargo; and

**WHEREAS**, the City Attorney has reviewed and approved the reimbursement agreement; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Batavia that the Council President is hereby authorized to execute a reimbursement agreement with Wells Fargo.

**Seconded by Councilperson  
and on roll call**



## **MOTION TO ENTER EXECUTIVE SESSION**

### **Motion of Councilperson**

**WHEREAS**, Article 7, Section 105(1)(e), of the Public Officer's Law permits the legislative body of a municipality to enter into Executive Session to discuss "...collective negotiations pursuant to article fourteen of the civil service law...".

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Batavia, that upon approval of this Motion, the City Council does hereby enter into Executive Session.

**Seconded by Councilperson  
and on roll call**